

**EXHIBIT 3**

COPY

1

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3  
4 XEROX CORPORATION :

5 Plaintiff :

6 Vs. :

CIVIL ACTION NO.

7 PHOENIX COLOR CORPORATION :

L 02CV 1734

8 and :

9 TECHNIGRAPHIX, INCORPORATED :

10 Defendants :

11  
12  
13 Deposition of JAMES T. BURKEY, taken on  
14 Monday, March 3, 2003, at 11:00 a.m., at the law  
15 offices of Piper Rudnick, LLP, 6225 Smith Avenue,  
16 Baltimore, Maryland, before Bonnie L. Russo,  
17 Notary Public.

18 -----  
19  
20 Reported by:

21 Bonnie L. Russo

CRC-SALOMON

Baltimore, Maryland

Phone (410) 821-4888

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Q. Who is Patty Woliver?

A. She used to be a first line manager reporting to Temenia Baxter.

Q. Do you know her capacity with the company now?

A. No.

Q. Who is Caron Hamilton?

A. I do not know.

Q. How about Charlotte Richardson?

A. She is my credit manager in Rochester, New York.

Q. Is she a supervisor?

A. Yes. She is a manager.

Q. Now, the e-mail states, "The pending orders can be only approved if we have them rewritten in the name of Phoenix Color Corp or we have a signed corporate guarantee where Phoenix Color Corp guarantees debts of Technigraphix."

What did you mean by having the pending orders rewritten in the name of Phoenix Color Corp?

A. The leases that they wanted to transact had to be written in the name of Phoenix Color Corp or they could be written in the name of Technigraphix, Inc. With a signed corporate guarantee of Phoenix Color Corp guaranteeing the debts of Technigraphix, Inc.

Q. How would you know whether the leases were rewritten in the name of Phoenix Color Corp?

A. I wouldn't.

Q. How did you find out that the leases didn't have Phoenix Color Corp to begin with?

A. That was information that probably was provided by the Dallas CBC.

Q. Would they send you an e-mail that included the name of the contracting party?

A. They could either do that or it would be telephonic.

Q. How often would you ask for leases to be rewritten when they come before you? What percentage of the time would you ask for a lease to be rewritten like this?